



Oklahoma Funeral Board
3700 N. Classen Blvd, Suite 175
Oklahoma City, Oklahoma 73118
405.522.1790

MEMORANDUM & BOARD PACKET

February 7, 2022

TO: MEMBERS

Tom Coble
J. Cooper
Joe Highberger
Brent Matherly
Jim Roberts
Mike Sanders
Chad Vice

BOARD STAFF

Ron DeWitt
Shayne Melton
Ashton Poarch, AAG
Rochelle Robinson
Thomas Schneider, AAG

FR: Tyler Stiles

RE: February 10, 2022 Regular Board Meeting

Please find the attached February 10, 2022 Oklahoma Funeral Board agenda and the drafted January 13, 2022 regular meeting minutes. I have also included a list of proposed criminal classifications that could potentially disqualify an applicant from licensure for your review and vote this week. If you have any questions or if you cannot attend this week's meeting, please contact me.

Tyler Stiles, MBA
Executive Director
Oklahoma Funeral Board

OKLAHOMA FUNERAL BOARD
3700 North Classen Blvd, Suite 175
Oklahoma City, Oklahoma 73118

NOTICE OF REGULAR MEETING

MEETING PLACE: Videoconference at

<https://oklahomafuneralboard.my.webex.com/meet/Funeralboard>

We ask that only the Respondents in a complaint use the video camera function. If calling in by telephone please call 1-408-418-9388; Access Code 1260612143. If attending in person at the physical location: Office of Chief Medical Examiner OKC, 921 N.E. 23rd Street Conference Room 1st Floor Oklahoma City, OK 73105.

DATE & TIME: February 10, 2022 10:00AM

A copy of this notice of meeting and agenda has been posted in a prominent location at the office of the Oklahoma Funeral Board, 3700 North Classen Blvd Suite 175, Oklahoma City, Oklahoma, on February 7, 2022 at 12:30PM. A copy of this agenda is available on the Funeral Board website at www.ok.gov/funeral

If attending via videoconference or via telephone Continuing Education credit will not be provided for this meeting. If you plan to attend a Board meeting for Continuing Education credit and would like a rough estimate of the length of time Board staff estimates the meeting might last, please email your request to info@funeral.ok.gov.

*** This symbol denotes the application and/or applicant is not in compliance with 235:1-1-2 (c) (14 day Rule)

ORDER OF BUSINESS: The Board may discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or decide not to discuss any item on the agenda.

1. Roll Call
2. Reading of the Oklahoma Funeral Board mission statement

The mission of the Oklahoma Funeral Board is to act in the public interest and for the protection of the public within the powers vested in the Board by the State of Oklahoma for the regulation and education of the funeral service profession.

3. Approval of the January 13, 2022 Regular Board meeting minutes

4. Oklahoma Funeral Director Association Update from a Representative of OKFDA
5. Oklahoma Insurance Department Update from a Representative of OID
6. Review complaints with possible vote for probable cause or other action

20-42 Unlicensed Practice/Embalming Issues/No GPL

21-25 Misleading Advertisement

21-35 Release of Cremated Remains to Unauthorized Person

21-53 Body Intake Log

22-19 Nonpayment Over 90 Days

22-20 Cremation Issue

22-21 Fraud/Forgery/Ethics

22-22 Body Intake Log

22-24 Body Intake Log

7. Matters for consideration: Consent Order or Scheduling Order

At the conclusion of the parties' presentation and any questions or public discussion by the Board, the Board may in each complaint case:

- i. consider and vote on motion(s) to conduct executive session(s) pursuant to 25 O.S.2011, Section 307(B)(8) to engage in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act;
- ii. if an executive session is held, designate a person to keep written minutes of the executive session;
- iii. consider and vote on motion(s) to exit executive session and return to open meeting; and
- iv. consider and vote on motion(s) regarding possible action to be taken regarding matter discussed in executive session.

- 7A. Complaint 22-12 Caskets of Honor By Collard Designs, Calvin; Collard Designs, Ada; Todd Collard, Candice Mentink-Collard. Member Cooper needs to be recused.
- 7B. Complaint 22-18 Michael Kelly, FDIC, Norman, Jennifer Batres, Apprentice, OKC. Member Cooper needs to be recused.

8. Vote to affirm or disaffirm the issuance of the following licenses, registrations, certificates, dissolution or other action

A. Apprenticeship (Original)

- 1. Tara Cook, Tulsa, Dillon FS, Sand Springs
- 2. Skyler Watters, Nowata, Benjamin FS, Nowata
- 3. Kristen Crofford, Stillwater, Smith-Gallo, Guthrie
- 4. Zoe Nichols, OKC, Alpha and Omega, OKC
- 5. Miranda Bottoms, Lawton, Lawton Ritter Gray, Lawton
- 6. Micah Nathan, Marlow, Callaway-Smith-Cobb, Marlow
- 7. Landon Beavers, Duncan, Callaway-Smith-Cobb, Marlow
- 8. Samantha Davis, Swink, Miller & Miller FH, Hugo

B. Apprenticeship (1st extension)

- 1. Peri Moore, Norman, Tribute, Norman

C. Apprenticeship (2nd extension)

- 1. Addison Ray, Clinton, Corbett, OKC

D. Funeral Director and/or Embalmer (Reciprocal)

- 1. Sheila Brisendine, Texas
- 2. Danilo Gatón, California

3. Marie Thompson, Virginia
4. Ronnie Dunn, Texas
5. Tristan McAuliff, Arkansas
6. Christopher Mayberry, Tennessee

E. Funeral Director and/or Embalmer (Original)

1. Leslie Sheppard, OKC
2. Tammy Marshall, Cordell (FD Only)
3. Brittany Stallings, OKC
4. Che'Lynn Jackson, Tulsa
5. Autumn Spurgin, Blanchard

F. Establishments

1. Goodwin Funeral Chapel, Cherokee, request to close establishment
2. Arnold Moore & Neekamp Funeral Home & Cremation, Bartlesville, request to change name to Arnold Moore & Neekamp Funeral Home.
3. Ray Fransisco Embalming Service request to close establishment
4. Ray Fransisco Embalming Service, Tulsa, New Commercial Embalming Establishment, Ray Fransisco, FDIC, Southern Heritage Mortuary and Cremation Services, LLC, Owner
5. Hahn-Cook/Street & Draper request to change name to Hahn-Cook/Street & Draper Funeral Directors
6. Fletcher Funeral Home request to change name to Fletcher-Elgin Funeral Homes LLC

G. Crematory

1. Funeral Director's Cremation Service request to close establishment

2. Funeral Director's Cremation Service, Tulsa, New Crematory, Ray Fransisco, FDIC, Southern Heritage Mortuary and Cremation Services, LLC, Owner

9. **New Business.** Any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda. 25 O.S. Section 311.9.

10. **Executive Director's Report**

A. Agency Financial Update

B. 2022 Legislative Update: HB 3361

C. Free PPE from Health Dept.

11. Review, discussion by the Board members, and possible action regarding proposed changes to the Oklahoma Funeral Board Statutes:

A. Licensing education requirements

B. FD Only additional hours requirement

12. Review, discussion by the Board members, and possible action regarding compliance with HB1373, defining criminal records list for disqualifying applicant from licensure.

13. **Adjournment**

Tyler Stiles, MBA
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held: March 10, 2022. Office of Chief Medical Examiner –OKC 921 N.E. 23rd Street Conference Room – 1st Floor Oklahoma City, OK 73105.



MINUTES OF A REGULAR MEETING

OKLAHOMA FUNERAL BOARD
3700 N. Classen, Suite 175
Oklahoma City, Oklahoma 73118

January 13, 2022

BOARD MEMBERS

Tom Coble
J. Cooper
Joe Highberger
Brent Matherly
Jim Roberts
Mike Sanders
Chad Vice

STAFF

Shayne Melton
Ashton Poarch, AAG
Rochelle Robinson
Tyler Stiles

MEETING PLACE: MEETING PLACE: Videoconference at
<https://oklahomafuneralboard.my.webex.com/meet/Funeralboard>
If calling in by telephone please call 1-408-418-9388; Access Code 1260612143.
If attending in person at the physical location: Office of Chief Medical
Examiner OKC, 921 N.E. 23rd Street Conference Room 1st Floor
Oklahoma City, OK 73105.

A copy of this notice of meeting and agenda has been posted in a prominent location at the office of the Oklahoma Funeral Board, 3700 North Classen Blvd Suite 175, Oklahoma City, Oklahoma, on December 7, 2021 at 9:30AM. A copy of this agenda is available on the Funeral Board website at www.ok.gov/funeral

Continuing Education credit was not provided for this meeting if attended via videoconference or telephone.

President Highberger called the meeting to order at 10:00AM. Board Members Cooper, Matherly, Highberger, and Sanders were present. Members

Coble, Roberts, and Vice were not present for roll call. A quorum was always present.

Reading of the Oklahoma Funeral Board mission statement:

The mission of the Oklahoma Funeral Board is to act in the public interest and for the protection of the public within the powers vested in the Board by the State of Oklahoma for the regulation and education of the funeral service profession.

Motion by Highberger second by Sanders to approve the December 9, 2021 Regular Board meeting minutes with a correction to the date. The motion passed unanimously.

Dustin Pierce was not present but asked Mr. Stiles to provide the following update for OKFDA. OKFDA finished our membership drive for 2022 very strong. We grew our membership by 3% over the previous year and gained a handful of new firm memberships as well as 27 new individual memberships. We have set the dates for our Spring District Meetings. District I-February 15, 2022-Ted's Oklahoma City, OK

District V & VI-February 17, 2022-Roots Café-Durant, OK

Districts III & IV-February 22, 2022-Wagg's BBQ Woodward, OK

District II-February 24, 2022-Rachel's Kitchen Choteau, OK. There will be 1 hour of CE presented with each meeting. The meetings are a few weeks early this year because Convention will be the first week of April.

Convention-Embassy Suites Hotel & Conference Center-Norman, OK. April 3-5, 2022. We will have 11 hours of CE presented.

Phillip Hart will represent the association on the education committee.

OKFDA is looking forward to a successful 2022 and look forward to working the Funeral Board on making Funeral Service better in Oklahoma.

There was no update from the Oklahoma Insurance Department.

Motion by Highberger second by Sanders to dismiss complaint 21-02 regarding non-payment over 90 days. The motion passed unanimously.

Motion by Highberger second by Cooper to dismiss complaint 22-09 regarding cremation issues. The motion passed unanimously.

Motion by Highberger second by Sanders to find probable cause on complaint 22-12 regarding unlicensed practice/selling caskets/misleading advertising. The motion passed unanimously.

Motion by Highberger second by Sanders to dismiss complaint 22-16 regarding overcharging/death certificates. The motion passed unanimously.

Motion by Highberger second by Sanders to find probable cause on complaint 22-18 regarding unlicensed practice. The motion passed unanimously.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 22-14 Andrea Landrum. Respondents appeared via videoconference. The prosecution was represented by Ashton Poarch, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Cooper, Highberger, Sanders heard the case. Member Matherly was recused from the case and he left the room.

After the presentation of the agreed upon Consent Order, motion by Highberger second by Sanders to accept the Consent Order. The consent order consisted of the following: The agreed violations were: material misrepresentation, forgery, violation of the ethics rules violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Landrum's Apprenticeship is canceled and she must extend her apprenticeship in February, Landrum must complete 3 quarters of apprenticeship and perform 22 additional embalmings and 16 additional funerals, 1 year of probation after becoming licensed, and Costs of \$500 to be paid in 2 months. Motion passed unanimously.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 22-15 Michael Overton, Funeral Director, Melvin Blagg, Apprentice. The respondents appeared on Videoconference. The prosecution was represented by Ashton Poarch, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Cooper, Highberger, Sanders heard the case. Member Matherly was recused from the case and he was already out of the room.

After the presentation of the agreed upon Consent Order, motion by Cooper second by Highberger to accept the Consent Order. The consent order consisted of the following: material misrepresentation, forgery, violation of the ethics rules violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: The terms consisted of the following: Administrative Penalty of \$500, Overton shall not be approved to supervise apprentices, Blagg will be on probation for 1 year after becoming licensed, and Costs of \$500. The motion passed unanimously.

Member Matherly reentered the room.

Motion by Matherly second by Highberger to approve the following:
Apprenticeship (Original) Whitney Horne, Mena, Bunch-Singleton FH, Broken Bow; Benjamin Wilbourn, Lindsay, Wilbourn Family FH, Lindsay; Nickolas Zyzak, OKC, Alpha and Omega, OKC; Rachael Ohlrich, Broken Arrow, Schaudt FS, Tulsa. The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following:
Apprenticeship (1st Extension) Ashley King, Edmond, Chapel Hill, OKC; Wacee Kerr, El Reno, Wilson FH, El Reno; Perry Simpson, Noble, McMahan FH, Noble; Chad Austin, Idabel, Miller and Miller, Hugo. The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following:
Apprenticeship (2nd extension) William Swanson, Choctaw, Crawford Family, OKC. The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following:
Apprenticeship (3rd extension) Monica Lam, Shawnee, Smith-Parks FS, Harrah; Edward Eschiti, Walters, Southern Plains Mortuary, Walters. The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following:
Apprenticeship (FD Only)(Original) Madisyn Tolle, Purcell, Wilson Little FH, Purcell; Hellen Yosef, OKC, Crawford, Edmond; Lance Yanda, Yukon, Yanda & Son FH, Yukon. The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following:
Apprenticeship (FD Only)(1st Extension) Michael Frazier, Sr., Hugo, Mt. Olive, Hugo. The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following: Funeral Director and/or Embalmer (Reciprocal), Aaron Brown, Texas. The motion passed unanimously.

Motion by Matherly second by Highberger to table the following: Funeral Director and/or Embalmer (Reciprocal) Sheila Brisendine, Texas; Danilo Gatón, California; Ronnie Dunn, Texas; Tristan McAuliff, Arkansas. The motion passed unanimously.

Motion by Matherly second by Sanders to table the following: Funeral Director and/or Embalmer (Original), Leslie Sheppard, OKC. The motion passed unanimously.

Motion by Matherly second by Cooper to approve the following: Funeral Director and/or Embalmer (Original) James Groesbeck, Sand Springs (FD Only);

Stephanie Blankenship, Lindsay. The motion passed unanimously.

Motion by Matherly second by Cooper to table the following: Funeral Director and/or Embalmer (Original), Che'Lynn Jackson, Tulsa. The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following: Establishments, Howard-Harris FH, Lawton, request to change FDIC from Joe Harris to Audrey Howard-Harris with an exemption of the 60 mile rule for 90 days; DeArman-Pickard Funeral Home of Stratford, Inc., Stratford, request to change name to DeArman Funeral Home of Stratford; Mobley-Groesbeck, Sand Springs, request to change FDIC from Fred Waldrop to Denise Adamson; Atoka Funeral Home, Atoka, request to close establishment; Atoka Funeral Home, Atoka; New Establishment, Brown's Funeral Service, Inc. Owner; William Stephens FDIC; Holmes-Coffey-Murray, Durant, request to change FDIC from Curtis Vaughn to Merle Soltis; Prater-Lampton-Mills & Coffey, Hugo, request to change FDIC from Brent Shain to Alan Cowley; Mt. Olive FH, Hugo, request to change FDIC from Brent Shain to Alan Cowley; Cremation Society, Tulsa, request to change name of Establishment to Cremation Society of Oklahoma. The motion passed unanimously.

Motion by Matherly second by Highberger to table the following: Establishments, Arnold Moore & Neekamp Funeral Home & Cremation, Bartlesville, request to change name to Arnold Moore & Neekamp Funeral Home. The motion passed unanimously.

Motion by Matherly second by Cooper to approve the following: Establishments, Roberts-Reed Culver FH, Stilwell request to change FDIC from David Roberts to Gabrielle Gray; Roberts & Hart FH, Westville request to change FDIC from David Roberts to Gabrielle Gray; Schaudt's Okmulgee FS & Cremation Care, Okmulgee, request to change FDIC from Stephen Schaudt to Lan Pilkington; Schaudt's Tulsa FS & Cremation Care, Tulsa, request to change FDIC from Daniel Schaudt to Alan Hall; John M. Ireland & Son, OKC, request to change FDIC from Josie Cleveland to Rubith Lujan. The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following: Crematory, SPS Crematorium, Hugo, request to change FDIC from Brent Shain to Alan Cowley; Oklahoma Cremation Centers, Okmulgee, request to change FDIC from Stephen Schaudt to Lane Pilkington. The motion passed unanimously.

No New Business was discussed

Executive Director's Report- Agency Financial update- Mr. Stiles reported gross receipts for December 2021 to be \$239,897.00 with \$23,709.70 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$33,525.49 and net income after expenses totaled \$182,661.81.

Review, discussion by the Board members, and possible action regarding proposed changes to the Oklahoma Funeral Board Statutes: Mr. Highberger provided an update regarding a committee that he has created. The committee will meet next week and will continue to discuss the education requirements to become licensed. The committee members are: Joe Highberger, Board Member; Brent Matherly, Board Member; Tyler Stiles, Executive Director Funeral Board; Shawn Bates, Locus Grove Owner; Bart Watkins, Vici Owner; Marcus Crawford OKC Owner; John Williams MAYSVILLE Owner; Chris Ferguson CHICKASHA Employee; John Fritch UCO; North East Texas Mort School Rep; Dallas Rep; OKFDA REP Philip Hart President Elect

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 22-05 Complaint 22-05 Adamscrest Funeral Service, Tulsa; Adams-Crest Funeral Home and Cremation Center, LLC, Tulsa; Nick Reynolds, FDIC, Tulsa. The respondents did not appear. The prosecution was represented by Ashton Poarch, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Cooper, Highberger, Sanders heard the case. Member Matherly was recused from the case and he left the room.

After the presentation of the agreed upon Consent Order, motion by Highberger second by Sanders to accept the Consent Order. The consent order consisted of the following: failure to comply with the Funeral Rules of the FTC, failure to provide an accurate statement of goods, overcharging, forgery, violation of the ethics rules, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Restitution to the Victim's Compensation Fund of \$3,447, 1 year of probation, and Costs of \$1,000. The motion passed unanimously.

Member Matherly returned to the meeting.

Motion by Highberger second by Matherly to adjourn the meeting at 10:33AM. The motion passed unanimously.

Joe Highberger
Oklahoma Funeral Board President

DRAFT

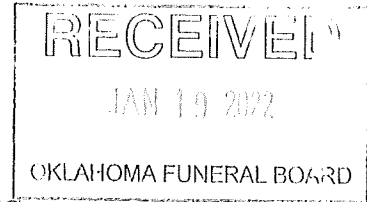
**BEFORE THE OKLAHOMA FUNERAL BOARD
STATE OF OKLAHOMA**

**IN THE MATTER OF THE COMPLAINT
AGAINST:**

**TODD COLLARD and CANDICE
MENTINK-COLLARD, individually and
d/b/a COLLARD DESIGNS and CASKETS
OF HONOR BY COLLARD DESIGNS**

Respondents.

Complaint No. 22-12



COMPLAINT AND NOTICE OF HEARING

The State of Oklahoma, *ex rel.*, Oklahoma Funeral Board ("Board"), by and through Assistant Attorney General Ashton Poarch, files this Complaint and Notice of Hearing, alleging that the Respondents, TODD COLLARD and CANDICE MENTINK-COLLARD, individually and d/b/a CASKETS OF HONOR BY COLLARD DESIGNS (collectively, "Respondents"), have violated provisions of the State Funeral Services Licensing Act, 59 O.S. § 395.1 *et seq.* (the "Act"), and Rules of the Board, Oklahoma Administrative Code ("O.A.C.") Section 235:10-1-1 *et seq.* (the "Rules"), in the manner set forth below:

JURISDICTION

1. Respondents TODD COLLARD ("Collard") and CANDICE MENTINK-COLLARD ("Mentink-Collard") own and operate a business, CASKETS OF HONOR BY COLLARD DESIGNS ("Caskets of Honor"), located at 523 2nd Street, Calvin, Oklahoma 74531.

2. Respondent Mentink-Collard conducts business as COLLARD DESIGNS ("Collard Designs") under a domestic trade name filed with the Oklahoma Secretary of State. Mentink-Collard's address for the domestic trade name filing is 322 E. Main Street, Ada, Oklahoma 74820.

3. The Board has jurisdiction over Respondents pursuant to 59 O.S. §§ 396.2a(9) and (11).
See also 59 O.S. § 396.12f(F).

FACTUAL ALLEGATIONS

4. On October 6, 2021, Board staff (“Investigator”) conducted an undercover investigation of Respondents’ vendor booth in the Tulsa State Fair Exchange Building.

5. Investigator observed Respondents’ displaying three (3) complete caskets, including prices, at their booth. When Respondent Collard approached Investigator, Investigator asked whether Respondents sold caskets to the public; Respondent Collard replied, “Yeah.”

6. Respondents Collard and Mentink-Collard presented two (2) fliers and one (1) business card to Investigator. The first flier stated, “We take great pride in our products from the initial design to the last stitch of the interior. . . If you are interested in our line of products please feel free to contact us. We would be honored to schedule an appointment with you.” The business card stated, “Caskets of Honor by Collard Designs . . . Custom Caskets & Urns, Custom Interiors, and Canvas Head Panel Inserts.” Both fliers and the business card state that the business address for Caskets of Honor is 523 2nd Street, Calvin, Oklahoma 74531.

7. On October 6, 2021, Investigator reviewed the Facebook profile for Caskets of Honor. The cover photograph for the profile shows the business’s façade at the 523 2nd Street, Calvin, Oklahoma 74531 location; that address is also listed as the business’s official address on the profile. In cover photograph, through the window of the business’s façade, four (4) complete, customized caskets are observable. The profile picture shows Respondents Collard and Mentink-Collard. Next to the profile picture and under the profile name, “Caskets of Honor by Collard Designs,” the business is categorized as “Funeral Service & Cemetery.” One of the posts on the profile states, “We are open to the public and want everyone to know we welcome all visitors that

wish to see our products in person.” Another post, which accompanies a photograph of Respondents’ vendor booth at the 2021 Tulsa State Fair, states, “Stop by and say hello.”

8. Caskets of Honor does not maintain an establishment license for the 523 2nd Street, Calvin, Oklahoma 74531 location, where Respondents display and negotiate sales of caskets to the public.

9. Immediately after conducting the undercover investigation, Inspector contacted Respondent Collard and informed him of his and Respondent Mentink-Collard’s violations of the Act and Rules. During that conversation, Respondent Collard confirmed that he nor Respondent Mentink-Collard are licensed by the Board. Respondent Collard further confirmed that he did not have a Funeral Director present for the vendor booth at the 2021 Tulsa State Fair. Notably, Respondent Collard stated that he expected to be investigated or approached by a representative of the Board regarding his business activities.

10. On October 6, 2021, Investigator filed a complaint with the Board, alleging that Respondents were selling funeral service merchandise to the public without a valid funeral director license in violation of 59 O.S. §§ 396.3a(1)(c), 396.6(A), and 396.12(A). The Board provided Respondents with the Notice of Complaint via letter the following day, October 7, 2021.

11. Respondents, by and through their attorney, filed their response with the Board on November 9, 2021. Respondents confirmed that they own and operate Caskets of Honor as a sole proprietorship/partnership. Respondents maintain that they do not sell funeral service merchandise to the public, as they have not sold caskets to individuals nor do they intend to sell caskets to the public. Rather, Respondents intend to only sell caskets to funeral homes. Respondents did, however, admit that “they are not licensed to practice Funeral Directing nor Embalming.”

12. By public vote during the meeting on January 13, 2021, the Board found probable cause to file a formal complaint against Respondents for the violations alleged herein.

13. The prosecution has sufficient evidence which, if presented to the Board at an evidentiary hearing, would constitute clear and convincing evidence of the alleged violations.

ALLEGED CONCLUSIONS OF LAW

14. Respondents violated 59 O.S. §§ 396.3a(1)(c), 396.6(A), and 396.12(A) and (B) by selling funeral service merchandise, specifically customized caskets, to the public without a funeral director license and establishment license. Title 59, Section 396.3a(1) provides, in relevant part, that persons or businesses “engaged or who may engage in . . . the sale of any funeral service merchandise” are “required to be licensed pursuant to the Funeral Services Licensing Act.” Likewise, Title 59, Section 396.6(A) provides that “[n]o person shall . . . engage in the sale of any funeral service merchandise to the public . . . unless the person has obtained the license specified by rules . . . and has otherwise complied with the provisions of the Funeral Services Licensing Act.” Further, Title 59, Section 396.12(A) provides that “[a]ny place where a person shall hold forth by word or act that the person is engaged in the profession of . . . funeral directing shall be deemed as a funeral establishment and shall be licensed as such.” *See* 59 O.S. § 396.2(2)(d) (defining “Funeral director” as a person who “sells funeral service merchandise to the public”). Finally, Title 59, Section 396.12(B) states that “[a] funeral establishment shall not do business in a location that is not licensed as a funeral establishment, [and] shall not advertise a service that is available from an unlicensed location.” *See* 59 O.S. § 396.2(3) (defining “Funeral establishment” as “any place where any person or persons shall hold forth and be engaged in the profession of undertaking or funeral directing”).

15. Respondents violated 59 O.S. §§ 396.12c(A)(4) and (17), as well as O.A.C. 235:10-7-2(17), (26)(b)(i), (26)(d)(v), and (26)(d)(vi), by falsely advertising and materially misrepresenting Caskets of Honor as a “Funeral Service & Cemetery” online and indicating that Caskets of Honor

was open to the public and would sell caskets to the public. Under Title 59, Sections 396.12c(A)(4) and (17), engaging in “[f]alse or misleading advertising as a funeral director” and “[v]iolating [59 O.S. § 396.12(B)] regarding advertisement of services at locations not licensed by the Board” subjects Respondents to discipline. Likewise, the Rules prohibit “[t]he use of false or misleading advertising.” O.A.C. 235:10-7-2(17). Moreover, licensees are required to “be honest and trustworthy in the performance of all duties and work performed . . . and shall avoid misrepresentation and deceit in any fashion, whether by acts of commission or omission.” O.A.C. 235:10-7-2(26)(b)(i). Indeed, “[a] licensee shall not provide information he or she knew or should have known was inaccurate, deceitful, or misleading to the Board or a consumer” and “shall not engage in any activity that constitutes dishonesty, misrepresentation, or fraud.” O.A.C. 235:10-7-2(26)(d)(v) and (vi).

16. Respondents violated O.A.C. 235:10-7-2(26)(d)(iv) by engaging in a business scheme designed to evade the Act and Rules. Specifically, Respondents’ business model markets directly to the public, and Respondents engage directly with the public in selling their customized caskets, but allegedly only sell the caskets to funeral homes after negotiating with the consumers in order to avoid the licensing requirements under the Act and Rules. Rule 235:10-7-2(26)(d)(iv) states, “[a] licensee shall not participate, whether individually or in concert, with others, in any plan, scheme, or arrangement attempting or having as its purpose, which he/she knew or should have known was the evasion of any provision of the laws or the rules of the Board.”

17. Due to the above violations, Respondents are subject to disciplinary action by the Board. *See* 59 O.S. §§ 396.2a(9) and (11); *id.* at §§ 396.12c(A)(5) and (8); *id.* at § 396.12d; *id.* at § 396.12e.

AUTHORIZED PENALTIES

18. The Board is authorized to impose any of the following penalties for violations of the Act or Rules: (1) denial, revocation, suspension, or nonrenewal of license or certificate of apprenticeship; (2) administrative fines up to ten thousand dollars (\$10,000.00) per series of related violations¹; (3) injunctive proceedings; and (4) other disciplinary action. 59 O.S. §§ 396.12c(5) and (8); *id.* at § 396.12c; *id.* at § 396.12d; *id.* at § 396.12e.

19. Further, the Board is authorized to “impose . . . as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting the violation.” 59 O.S. § 396.12e(B). Costs may include, but are not limited to, “staff time, salary and travel expenses, [and] witness fees and attorney fees.” *Id.*

20. In lieu of prosecution, Respondents “may elect to surrender the license or certificate of apprenticeship.” *Id.* at § 396.12e(D). However, should Respondents choose to surrender their licenses and/or certificates of apprenticeship, they “shall be forever barred from obtaining a reissuance of said license or certificate of apprenticeship.” *Id.*

NOTICE OF HEARING

An **EVIDENTARY HEARING** will be held before the Board on **FEBRUARY 10, 2022 at 10:00 A.M.** Respondents may appear personally or through an attorney. If Respondents fail to appear, the hearing will be held in their absence. Respondents have the right to submit a written response, cross-examine witnesses, and present evidence on their behalf. *See* 75 O.S. §§ 309 and

¹ When determining the amount of an administrative penalty, the Board shall consider, but not be limited to:

the nature, circumstances and gravity of the violation and, with respect to the person or entity found to have committed the violation, the degree of culpability, the effect on ability of the person or entity to continue to do business and any show of good faith in attempting to achieve compliance with the provisions of the Funeral Services Licensing Act.

59 O.S. § 396.12e(C).

310. If the Board decides, after considering all the evidence presented, that Respondents are in violation of any of the above-referenced laws, the Board may take any authorized disciplinary action it deems appropriate.

MEETING PLACE:

In-Person

Office of Chief Medical Examiner
1st Floor Conference Room
921 N.E. 23rd Street
Oklahoma City, OK 73105

Videoconference

<https://oklahomafuneralboard.my.webex.com/meet/Funeralboard>

The Board asks that only the Respondents use the video camera function.

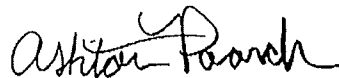
Telephone

1-408-418-9388
Access Code:
1260612143

Instead of proceeding with the aforementioned hearing, the parties may present a **JOINT**

PROPOSED CONSENT ORDER to the Board on the same date and time. *See* 75 O.S. § 309(E).

Respectfully submitted:



Ashton Poarch, OBA # 34308
Assistant Attorney General
Office of the Oklahoma Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
Ashton.Poarch@oag.ok.gov
Attorney for Oklahoma Funeral Board

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of January, 2022, a true and correct copy of the foregoing *Complaint and Notice of Hearing* was served as follows:

BY CERTIFIED MAIL:

LARRY A. MORGAN
MORGAN AND MORGAN, PC
11912 N. Pennsylvania Ave., Suite D-1
Oklahoma City, OK 73120-7830

Attorney for Respondents

A handwritten signature in black ink, appearing to read "Tyler Stiles", is written over a horizontal line.

Tyler Stiles, MBA
Executive Director

**BEFORE THE OKLAHOMA FUNERAL BOARD
STATE OF OKLAHOMA**

**IN THE MATTER OF THE COMPLAINT
AGAINST:**

MICHAEL H. KELLY

Funeral Director in Charge at
Moore Funeral & Cremation

Licenses: 3525FD and 3888EM

Address: P.O. Box 72116

Norman, OK 73070

JENNIFER BATRES

Apprentice at Moore Funeral & Cremation

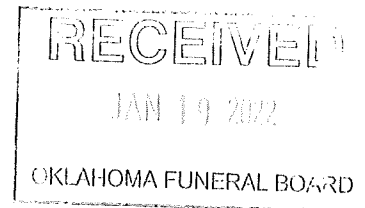
Certificate: 6396AP

Address: 2248 S.W. 102nd Street

Oklahoma City, OK 73159

Respondents.

Complaint No. 22-18



COMPLAINT AND NOTICE OF HEARING

The State of Oklahoma, *ex rel.*, Oklahoma Funeral Board ("Board"), by and through Assistant Attorney General Ashton Poarch, files this Complaint and Notice of Hearing, alleging that the Respondents, MICHAEL H. KELLY and JENNIFER BATRES, have violated provisions of the State Funeral Services Licensing Act, 59 O.S. § 395.1 *et seq.* (the "Act"), and Rules of the Board, Oklahoma Administrative Code ("O.A.C.") Section 235:10-1-1 *et seq.* (the "Rules"), in the manner set forth below:

JURISDICTION

1. Respondent MICHAEL H. KELLY ("Funeral Director in Charge" or "FDIC") is licensed by the Board as a funeral director and embalmer, license numbers 3525FD and 3888EM, and at all relevant times was the Funeral Director in Charge at Moore Funeral & Cremation, located at 400 S.E. 19th Street, Moore, OK 73160 ("Funeral Home").

2. Respondent JENNIFER BATRES (“Apprentice”) holds an apprentice certificate and registration, number 6396AP, issued by the Board. At all relevant times, Apprentice was employed by and worked at the Funeral Home.

3. The Board has jurisdiction over Respondents pursuant to 59 O.S. §§ 396.2a(9) and (11). *See also* 59 O.S. § 396.12f(F).

FACTUAL ALLEGATIONS

4. On November 23, 2021, Board staff (“Investigator”) conducted an undercover compliance audit of the Funeral Home.

5. Upon arrival, Investigator observed that only one person was working at the Funeral Home—the Apprentice. To that end, there was only one personally-owned vehicle in the parking lot, other than the Investigator’s vehicle.

6. Apprentice greeted Investigator, gave Investigator a tour of the Funeral Home, questioned Investigator about the kind of arrangements he wished to make, presented caskets and their prices to Investigator, and provided Investigator with a general price list in the arrangement room. While in the arrangement room, Apprentice discussed the Funeral Home’s various service packages and explained how they could be customized. To that effect, Apprentice showed Investigator photographs of the Funeral Home’s prior work as examples. More than once, Apprentice asked Investigator whether the services she described would be of interest to him. Apprentice also provided Investigator with verbal cost estimates based on different packages and customizations.

7. While in the arrangement room, Apprentice provided Investigator with a folder containing the general price list; a condolence letter displaying Apprentice’s name, title, and signature; a copy of the vital statistics information sheet; and other funeral service literature and information.

8. At no time during the undercover compliance audit was Investigator approached by, nor did he witness, any other Funeral Home personnel.

9. At no time during the undercover compliance audit did Apprentice introduce herself as an apprentice, clarify that she was and is not a licensed funeral director, or make clear that all arrangements and negotiations must be conducted with or under the personal supervision of a licensed funeral director. The only indication of Apprentice's status was the condolence letter she provided within a packet of information.

10. At the end of the audit, Apprentice stated, "we are available 24/7 to you . . . if it's after 5:00 and you need to speak with someone, just tell them, *I need a director to call me back*, and give them your name and number and we will call you back within the next hour . . . as director, we are here 24/7 for you."

11. On November 23, 2021, Investigator filed a complaint with the Board, alleging that Apprentice was acting as a funeral director without a license, which the remaining Respondents aided, in violation of 59 O.S. §§ 396.3a(1), 396.6(A), O.A.C. 235:10-3-1, O.A.C. 235:10-3-5, and O.A.C. 235:10-7-2. The Board provided Respondents with the Notice of Complaint via letter the same day, November 23, 2021.

12. Respondents, by and through their attorney, filed their response with the Board on December 10, 2021. Respondents confirmed that Respondent Jennifer Batres works for Funeral Home as an apprentice, that a licensed funeral director was not present at Funeral Home during the compliance audit, and that Apprentice took Investigator to the arrangement room. However, Respondents maintain that Apprentice was only acting in a clerical capacity, brought Investigator to the arrangement room only for the purpose of obtaining a general price list, and clearly and

specifically informed Investigator of Apprentice's status and the need to make arrangements with a licensed funeral director.

13. By public vote during the meeting on January 13, 2022, the Board found probable cause to file a formal complaint against Respondents for the violations alleged herein.

14. The prosecution has sufficient evidence which, if presented to the Board at an evidentiary hearing, would constitute clear and convincing evidence of the alleged violations.

ALLEGED CONCLUSIONS OF LAW

15. Apprentice violated 59 O.S. §§ 396.3a(1) and 396.6(A), as well as O.A.C. 235:10-3-5(c)(5) and 235:10-7-2(6), by engaging in the practice of funeral directing¹ without a license and without supervision. Specifically, without supervision of a licensed funeral director, Apprentice (1) conferenced with Investigator in the arrangements room, speaking at length and in depth about the type of arrangements and funeral service merchandise available, which constitutes offering to sell and/or plan funeral services on an at-need basis, and (2) implied that she was a funeral director, and never disclosed her status as an apprentice or stated that Investigator would need to make arrangements with a licensed funeral director. Title 59, Section 396.3a(1) requires that any person who is "engaged or may engage in . . . the sale of any funeral service merchandise, or . . . providing funeral services" be licensed pursuant to the Act. *See also* O.A.C. 235:10-7-2(6) (prohibiting the "practice of funeral directing by an individual not licensed as funeral director"). Likewise, Title 59, Section 396.6(A) provides that no person may provide funeral services or sell funeral service merchandise to the public, or otherwise engage in funeral directing, unless said person is licensed

¹ *See* O.A.C. 235:10-11-1(b) (listing activities and services that constitute funeral directing, which includes "[s]elling or offering to sell funeral services on an at-need basis," "[p]lanning or arranging, on an at-need basis, the details of a funeral service with the family or friends of the decedent," "[e]stablishing the type of service to be rendered," and "[u]sing in connection with one's name or employment the words . . . 'funeral director' . . . that when considered in the context in which used would imply that such person is engaged in the practice of funeral directing or that such person is holding . . . herself out to the public as being engaged in the practice of funeral directing").

pursuant to the Act. Further, “[n]o apprentice shall perform the practice of embalming or the practice of funeral directing unless the apprentice is doing so under the personal supervision of a licensed embalmer or funeral director.” O.A.C. 235:10-3-5(c)(5).

16. FDIC is “responsible for the legal and ethical operation of the [Funeral Home] and is accountable to the Board.” 59 O.S. § 396.2(12). Therefore, FDIC is also liable for the above violations.

17. FDIC violated O.A.C. 235:10-7-2(27) by aiding and abetting Apprentice’s unlicensed funeral directing. Specifically, FDIC knew or should have known that Apprentice was the only employee servicing the Funeral Home during regular business hours when members of the public may seek funeral services. The Rules prohibit “[a]iding or abetting an unlicensed person . . . in the practice of funeral directing.” O.A.C. 235:10-7-2(27).

18. Due to the above violations, Respondents are subject to disciplinary action by the Board. *See* 59 O.S. §§ 396.2a(9) and (11); *id.* at §§ 396.12c(A)(5) and (8); *id.* at § 396.12d; *id.* at § 396.12e.

AUTHORIZED PENALTIES

19. The Board is authorized to impose any of the following penalties for violations of the Act or Rules: (1) denial, revocation, suspension, or nonrenewal of license or certificate of apprenticeship; (2) administrative fines up to ten thousand dollars (\$10,000.00) per series of related violations²; (3) injunctive proceedings; and (4) other disciplinary action. 59 O.S. §§ 396.12c(5) and (8); *id.* at § 396.12c; *id.* at § 396.12d; *id.* at § 396.12e.

² When determining the amount of an administrative penalty, the Board shall consider, but not be limited to:

the nature, circumstances and gravity of the violation and, with respect to the person or entity found to have committed the violation, the degree of culpability, the effect on ability of the person or entity to continue to do business and any show of good faith in attempting to achieve compliance with the provisions of the Funeral Services Licensing Act.

20. Further, the Board is authorized to “impose . . . as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting the violation.” 59 O.S. § 396.12e(B). Costs may include, but are not limited to, “staff time, salary and travel expenses, [and] witness fees and attorney fees.” *Id.*

21. In lieu of prosecution, Respondents “may elect to surrender the license or certificate of apprenticeship.” *Id.* at § 396.12e(D). However, should Respondents choose to surrender their licenses and/or certificates of apprenticeship, they “shall be forever barred from obtaining a reissuance of said license or certificate of apprenticeship.” *Id.*

NOTICE OF HEARING

An **EVIDENTARY HEARING** will be held before the Board on **FEBRUARY 10, 2022 at 10:00 A.M.** Respondents may appear personally or through an attorney. If Respondents fail to appear, the hearing will be held in their absence. Respondents have the right to submit a written response, cross-examine witnesses, and present evidence on their behalf. *See* 75 O.S. §§ 309 and 310. If the Board decides, after considering all the evidence presented, that Respondents are in violation of any of the above-referenced laws, the Board may take any authorized disciplinary action it deems appropriate.

MEETING PLACE:

In-Person

Office of Chief Medical Examiner
1st Floor Conference Room
921 N.E. 23rd Street
Oklahoma City, OK 73105

Videoconference

<https://oklahomafuneralboard.my.webex.com/meet/Funeralboard>

The Board asks that only the Respondents use the video camera function.

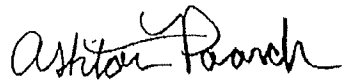
Telephone

1-408-418-9388
Access Code:
1260612143

59 O.S. § 396.12e(C).

Instead of proceeding with the aforementioned hearing, the parties may present a **JOINT PROPOSED CONSENT ORDER** to the Board on the same date and time. *See* 75 O.S. § 309(E).

Respectfully submitted:



Ashton Poarch, OBA # 34308
Assistant Attorney General
Office of the Oklahoma Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
Ashton.Poarch@oag.ok.gov

Attorney for Oklahoma Funeral Board

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of January, 2022, a true and correct copy of the foregoing *Complaint and Notice of Hearing* was served as follows:

BY EMAIL:

SAM A. MAZZU, III
CARRIAGE SERVICES
3040 Post Oak Blvd., Suite 300
Houston, TX 77056
Sam.Mazzu@carriageservices.com

Attorney for Respondents



Tyler Stiles, MBA
Executive Director



Oklahoma Funeral Board
3700 N. Classen Blvd, Suite 175
Oklahoma City, Oklahoma 73118
405.522.1790

MEMORANDUM

February 1st, 2022

TO: MEMBERS
Tom Coble
J. Cooper
Joe Highberger
Brent Matherly
Jim Roberts
Mike Sanders
Chad Vice

BOARD STAFF
Ashton Poarch, AAG
Thomas Schneider, AAG
Tyler Stiles
Rochelle Robinson

From: Shayne Melton

RE: Proposal for List of Crimes that may impact licensure by the Oklahoma Funeral Board.
THE FOLLOWING LIST OF CRIMES DOES NOT ENCOMPASS EVERY CRIME THAT MAY IMPACT ELIGIBILITY FOR FUNERAL DIRECTOR OR EMBALMER LICENSURE. THE BOARD MUST REVIEW FEDERAL CRIMES AND CRIMES COMMITTED IN OTHER JURISDICTIONS IN CONJUNCTION WITH THE PROVIDED LIST BELOW TO DETERMINE LICENSURE ELIGIBILITY.

TITLE 21. CRIMES

Chapter 6 - Crimes Against the Executive Power

§ 265. Bribe to Executive Officer

Chapter 7 - Crimes Against the Legislative Power

§ 308. Offer of Bribe to Legislator

Chapter 8 - Crimes Against State Property and Revenue

§ 341. Embezzlement of State Property

§ 349. Destruction of Public Buildings

§ 358. False, Fictitious, or Fraudulent Claims Against State

Chapter 10 - Bribery and Corruption

§ 380. Bribery of Fiduciary

§ 380.1. Commercial Bribery Involving an Insured Depository Institution or Credit Union

§ 381. Bribing Officers

§ 384. Acceptance of Bribe by Juror, Arbitrator, etc.



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Chapter 11 - Conspiracy

- § 421. Conspiracy
- § 440. Harboring a Fugitive - Aiding a Sex Offender
- § 444. Escape or Attempt to Escape from Arrest or Detention

Chapter 13 - Crimes Relating to Evidence

- § 451. Offering Forged or Fraudulent Evidence
- § 453. False Preparation of Exhibits as Evidence
- § 455. Preventing Witness from Giving Testimony
- § 456. Bribing Witness to Falsely Testify - Subornation of Perjury

Chapter 14 - Crimes Relating to Public Records and Documents

- § 461. Theft, Destruction, etc. of Records by Custodian
- § 462. Theft, Destruction, etc. of Records by Others
- § 463. Offering False or Forged Instruments for Recordation

Chapter 17 – Perjury

- § 500. Perjury
- § 505. Subornation of Perjury

Chapter 19 - Other Crimes Against Public Justice

- § 543. Compounding or Concealing Crime

Chapter 20 - Assault and Battery

- § 644. Assault and Battery
 - § 644.1. Domestic Abuse with Prior Pattern of Physical Abuse
- § 645. Assault, Battery, or Assault and Battery with Dangerous Weapon
- § 647. Aggravated Assault and Battery
- § 649. Assault and Battery Upon Police Officer, Sheriff, etc.
 - § 649.1. Mistreating or Interfering with Police Dog or Horse
- § 650. Aggravated Assault and Battery upon Law Officers
 - § 650.2. Aggravated Assault and Battery Upon Certain State Agency Employees
 - § 650.4. Assault and Battery Upon Emergency Medical Care Provider
 - § 650.5. Aggravated Assault and Battery or Assault with Firearm upon EMT or Care Provider
 - § 650.6. Assault and Battery upon Officers of Court, Witnesses or Jurors
 - § 650.7. Assault on Employee by Parent or Student
 - § 650.8. Assault and Battery Upon Employee of Office of Juvenile Affairs
 - § 650.9. Unlawful for Person in Custody to Transfer Bodily Fluids upon State Employee
 - § 650.11. Medical Battery

Chapter 21 - Attempts to Kill

- § 651. Administering Poison with Intent to Kill
- § 652. Shooting with Intent to Kill - Assault and Battery with Deadly Weapon, etc.

Chapter 23 - Felonious Assault

- § 681. Assault with Intent Commit Felony



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Chapter 24 – Homicide

- § 701.7. Murder in the First Degree
- § 701.8. Murder in the Second Degree
- § 701.16. Solicitation for Murder in the First Degree
- § 711. First Degree Manslaughter
- § 716. Second Degree Manslaughter

Chapter 25 – Kidnapping

- § 741. Kidnapping
- § 748. Human Trafficking

Chapter 26 – Maiming

- § 759. Maiming
- § 760. Female Genital Mutilation

Chapter 28 – Robbery

- § 797. Robbery- First Degree - Second Degree
- § 800. Robbery Committed by Two or More Persons
- § 801. Robbery or Attempted Robbery with Dangerous Weapon or Imitation Firearm

Chapter 30 - Miscellaneous Offenses Against the Person

- § 832. Mingling Poison, Drugs, or Sharp Objects with Food, Drink, etc.
- § 843.1. Abuse, Neglect, or Financial Exploitation by Caretaker
- § 843.4. Exploitation of Elderly Persons or Disabled Adults -Definitions
- § 843.5. Abuse, Neglect, Exploitation, or Sexual Abuse of Child
- § 849. Wiring or Equipping of Vehicles or Structures with Explosives
- § 850. Malicious Harassment Based on Race, Color, Religion, Ancestry, National Origin, Disability

Chapter 31 - Abandonment or Neglect of Wife or Children

- § 852.1. Child Endangerment by Permitting Child Abuse

Chapter 32A - Trafficking in Children

- § 866. Trafficking in Children

Chapter 35 - Maliciously, Forcibly or Fraudulently Taking or Enticing Away Children

- § 891. Maliciously, Forcibly or Fraudulently Taking or Enticing Away Children

Chapter 39 - Oklahoma Law on Obscenity and Child Pornography

- § 1021. Indecent Exposure - Indecent Exhibitions - Obscene or Indecent Writings, Pictures - Solicitation of Minors
- § 1021.2. Minors- Obscene or Indecent Writings, Pictures, etc.
- § 1021.3. Guardians - Parents - Custodians - Consent to Participation of Minors in Obscene Writings, Pictures.
- § 1029. Engaging in or Soliciting Prostitution - Residing or Remaining in Place for Prohibited Purpose - Aiding, Abetting, or Participating in Prohibited Acts - Child Prostitution - Human Trafficking
- § 1040.8. Publication, Distribution, or Participation in Preparation of Any Obscene Material or Child Pornography
- § 1040.12a. Aggravated Possession of Child Pornography
- § 1040.13a. Soliciting Sexual Conduct or Communication with Minor by use of Technology

Chapter 42 – Pandering

- § 1085. Unlawful Restraint of a Female in a Prostitution House
- § 1086. Owner or Proprietor Permitting Violation
- § 1087. Offering or Transporting Child for Purpose of Prostitution
- § 1088. Child Prostitution - Unlawful Detainment in Prostitution House

Chapter 45 - Rape, Abduction, Carnal Abuse, and Seduction of Children

- § 1114. Rape in First Degree - Second Degree
- § 1117. Compelling Marriage by Force or Duress
- § 1118. Unlawfully Taking a Woman to Compel Marriage by Force or Duress
- § 1119. Abduction of Person under Fifteen
- § 1123. Lewd or Indecent Proposals or Acts to Child Under 16

Chapter 47A – Miscellaneous

- § 1171. Loitering Around Residence to Watch Occupants
- § 1171(B). Taking Clandestine Photographs
- § 1173. Stalking

Chapter 49A - Environmental Crimes Act

- § 1230.3. Unlawful Hazardous Waste Transportation
- § 1230.4. Unlawful Waste Management
- § 1230.5. Unlawful False Statements and Acts Concerning Permits and Waste
- § 1230.6. Unlawful Disposal of Hazardous Waste
- § 1230.7. Unlawful Concealment of Hazardous Waste

Chapter 52 - Criminal Syndicalism and Sabotage

- § 1263. Advocating or Teaching Necessity, etc., of Crime, Criminal Syndicalism or Sabotage - Printing, Publishing, etc., Books, Pamphlets, etc. - Organizing or Becoming Member of Society or Assembly Sabotage Prevention Act
- § 1265.2. Interfering or Hindering Preparations for Defense
- § 1265.3. Making Defective Articles
- § 1266. Advocating Revolution, Sabotage, Treason, etc.
- § 1267.1. Organization to Overthrow United States or State Governments
- § 1268.2. Terrorism
- § 1268.3. Conspiracy to Commit Terrorism
- § 1268.4. Terrorism Hoax
- § 1268.5. Biochemical Assault
- § 1268.6. Manufacturing, Delivering, or Possessing Toxic or Lethal Substances with Intent to Engage in Terrorist Activities
- § 1268.7. Conducting or Attempting to Conduct Financial Transaction Involving Property Related to Terrorism
- § 1268.8. Use of Money Services and Electronic Transfer in Violation of Oklahoma Antiterrorism Act

Chapter 53 - Manufacture, Sale, and Wearing of Weapons

- § 1289.17A. Felony Discharging Firearms



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Chapter 56 – Arson

- § 1401. Arson in the First Degree
- § 1402. Arson in the Second Degree
- § 1403. Arson in the Third Degree
- § 1404. Arson in the Fourth Degree

Chapter 57 - Documents of Title to Merchandise, Offenses Respecting

- § 1411. Bill of Lading-Fraud
- § 1414. Issuing Duplicate Receipts
- § 1415. Selling Merchandise Without Consent

Chapter 58 – Burglary

- § 1431. Burglary in First Degree
- § 1435. Burglary in Second Degree
- § 1441. Burglary by Use of Explosives
- § 1442. Possession of Certain Tools a Felony After Conviction of Burglary

Chapter 60 - Extortion and Blackmail

- § 1481. Extortion
- § 1482. Extortion Induced by Threats
- § 1488. Blackmail

Chapter 61 - Frauds, Cheats, False Pretenses, and False Personations

- § 1531. False Personation of Another - Marriage - Bail or Surety - Written Instruments - Other Acts
- § 1532. False Personation - Receiving Money or Property Intended for Another
- § 1533. False Personation of Public Officers, Firemen, etc. - Use of Motor Vehicles
- § 1533.1. Fraudulently Obtaining Personal Identity of Other Persons
- § 1533.2. Obtaining Personal, Financial or Other Information of Another from a Financial Institution
- § 1541.3. False or Bogus Checks, Drafts, or Orders
- § 1542. Obtaining Signature or Property by False Pretenses
- § 1543. Obtaining Signature or Property by False Pretenses for Charitable or Benevolent Purpose
- § 1544. Penalty for False Promissory Note or Negotiable Instrument
- § 1550. Possessing Firearm with Removed or Defaced Serial Number during Commission of a Felony

Chapter 63 - Forgery and Counterfeiting

- § 1561. Forgery of Wills, Codicils, Deeds or Other Instruments
- § 1562. Forgery of Stock Certificates or Securities
- § 1571. Forgery of State, Public, Court or Corporate Seals
- § 1572. Forgery of Records
- § 1573. Forgery of Entries in Book of Record or Abstract
- § 1574. Forgery of Certification or Acknowledgment of Conveyance
- § 1575. Forgery of Engraving Plates
- § 1577. Sale, Delivery or Receipt of Forged Notes or Instruments - Aggregation of Offenses Due to Formulation
- § 1578. Possession of Forged Notes or Instruments - Aggregation of Offenses Due to Formulation of Plan
- § 1579. Other Forged Instruments
- § 1580. Issuing, Selling or Pledging False Certificates of Stock

Chapter 63 - Forgery and Counterfeiting (Continued)

- § 1581. Reissuing, Selling or Pledging Canceled Stock Certificates
- § 1582. Issuing, Selling or Pledging False Bond or Other Evidence of Debt
- § 1583. Forgery of Coins
- § 1584. Forgery of Coin with Intent to Export
- § 1585. Forgery of Court Instruments, Licenses, Property Instruments
- § 1586. Making False Entries in Public Book
- § 1587. Forgery of Tickets or Checks Entitling One to Passage
- § 1589. False Entries in Book of Accounts Kept by Corporations
- § 1590. Corporation Members, Officers or Employees Falsifying Book of Accounts or Records
- § 1591. Possession of Counterfeit Coins
- § 1592. Publishing Counterfeited Instruments or Coins as True - Aggregation of Offenses Due to Formulation
- § 1593. Falsely Procuring Another's Signature
- § 1622. Uttering Subscription on Instrument as that of One with Same Name
- § 1623. Uttering One's Endorsement as that of Another with Same Name
- § 1624. Erasure or Obliteration of Instruments as Forgery
- § 1626. Pretended Signatures as Agent or Officer of a Corporation

Chapter 64 - Frauds and Offenses in Corporate Affairs

- § 1632. Forged Instruments Regarding Organization of Corporation
- § 1635. Destroying, Altering or Falsifying Papers, Securities, etc.

Chapter 65 - Frauds on Insurance Companies

- § 1662. Fraudulent Claim Upon Insurance Contract for Payment of Loss
- § 1663. Workers' Compensation Fraud

Chapter 67 - Injuries to Animals

- § 1681. Poisoning Animals
- § 1685. Acts of Cruelty to Animals
- § 1695. Keeping Place, Equipment or Facilities for Dogfighting

Chapter 68 – Larceny

- § 1705. Grand Larceny
- § 1707. Grand Larceny in Dwelling House
- § 1713. Receiving Stolen Property - Reasonable Inquiry Required
- § 1713.1. Receiving Stolen Construction or Farm Equipment Prohibited
- § 1715. Bringing Stolen Property into State
- § 1716. Larceny of Livestock or Implements of Husbandry
- § 1719.1. Larceny of Domesticated Fish and Game
- § 1719.2. Grand Larceny of Exotic Livestock
- § 1720. Theft of Aircraft, Automobile, Automotive Driven Vehicle, or Construction or Farm Equipment
- § 1721. Tapping Pipeline
- § 1722. Taking Oil, Gas, Gasoline
- § 1723. Larceny from Building
- § 1727. Copper- Stealing or Removing
- § 1728. Possessing, Receiving or Transporting Stolen Copper



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Chapter 70 - Other Offenses Against Property Rights

- § 1903. Seizure of Bus-Assault or Battery - Use of Dangerous Weapon - Concealed Weapon - Discharging Firearm or Hurling Missile at Bus
- § 1958. Using Access to Computers to Violate Oklahoma Statutes
- § 1990.2. Violation of Trademark Anti-Counterfeiting Act
- § 1993. Tampering with Security Equipment
- § 2001. Unlawful Proceeds - Transaction with Counsel - Banking Transaction

TITLE 63. PUBLIC HEALTH AND SAFETY

Chapter 2 - Uniform Controlled Dangerous Substances Act

- § 2-419.1. Employing Minors in Trafficking
- § 2-503.1d. Unlawful Sale or Transfer of Money Transmitter Equipment - Assisting Unlawful Use of Equipment
- § 2-503.1e. Unlawful Use of Money Services Business or Electronic Funds Transfer Network
- § 2-503.1f. Evasion of Federal Money Laundering Laws
- § 2-503.1g. Unlawful Trade or Transaction Structuring Schemes